

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID PONTIER

Plaintiff,

v.

GEICO INSURANCE et al.,

Defendants.

Case No. 2:20-cv-01446-RFB-BNW

ORDER

In the instant case pending before this Court, Defendant Geico Insurance filed a Notice of Enjoinment under the First-to File Rule by the Southern District of California. ECF No. 22. The first-to-file rule allows a district court to stay proceedings if a similar case with substantially similar issues and parties was previously filed in another district court. The Ninth Circuit has recognized that the “first-to-file rule does not require the exact identity of the parties” but requires “only substantial similarity of parties.” Kohn Law Group, Inc. v. Auto Parts Mfg. Mississippi, Inc., 787 F.3d 1237, 1240 (9th Cir. 2015). Consistent with the Notice and first-to- file rule, this Court finds that in the instant case there are similar parties and issues with Joseph Dang v. Davie Pontier, et al. Case No. 19-cv-01519-GPC-AHG. The undersigned District Judge therefore finds that judicial economy will be served by transferring the instance case to the United States District Court for the Southern District of California with a respectful recommendation that it be assigned to Judge Gonzalo P. Curiel.

IT IS THEREFORE FURTHER ORDERED that the Clerk of the Court transfer this action to the United States District Court for the Southern District of California, Clerk's Office, Suite 420, 333 West Broadway, San Diego, CA 92101.

IT IS FURTHER ORDERED that the Clerk of the Court administratively close this action.

DATED: February 1, 2021.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE